CIVIL SERVICE COMMISSION MINUTES
NOVEMBER 1, 2006

A regular meeting of the Civil Service Commission was held at 2:30 p.m. in the Sixth Floor Tower of the County Administration Building, 1600 Pacific Highway, San Diego, California.

Present were:

Barry I. Newman
Francesca Krauel
W. Dale Bailey
Cheryl Fisher
A.Y. Casillas

Absent was:

None

Comprising a quorum of the Commission

Support Staff Present:

Patt Zamary, Executive Officer
William D. Smith, Senior Deputy County Counsel
Selinda Hurtado-Miller, Reporting

Approved
Civil Service Commission

December 6, 2006

COUNTY OF SAN DIEGO
CIVIL SERVICE COMMISSION MINUTES
November 1, 2006

2:00 p.m. CLOSED SESSION: Discussion of Personnel Matters and Pending Litigation

2:30 p.m. OPEN SESSION: 6th Floor Tower, 1600 Pacific Highway, San Diego, California

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Discussion Items	Continued	Referred	Withdrawn
7,8		8,9	14,15

COMMENTS: Motion by Casillas to approve all items not held for discussion; seconded by Fisher. Carried.

CLOSED SESSION AGENDA
County Administration Center, Room 400B
(Notice pursuant to Government Code Sec. 54954.2)
Members of the public may be present at this location to hear the announcement of the closed session agenda.

A. Commissioner Casillas: CONSIDERATION OF PUBLIC EMPLOYEE DISCIPLINE (GOV. CODE SEC. 54957(b)) Julie Buechler, Esq., on behalf of **2006-04** appealing an Order from the Sheriff's Department.

OPEN SESSION AGENDA
County Administration Center, 6th Floor Tower

MINUTES

1. Approval of the Minutes of the regular meeting of October 4, 2006.

Approved.

CONFIRMATION OF ASSIGNMENTS

2. Commissioner Bailey: Donna Clark-Richardson, SEIU Local 2028, on behalf of **John Ralph**, Pharmacy Technician, appealing an Order of Suspension and Charges from the Sheriff's Department.

Confirmed.

3. Commissioner Fisher: Julie Buechler, Esq., on behalf of **2006-05**, appealing an Order from the Sheriff's Department.

Confirmed.

4. Commissioner Casillas: **Mary Raymond**, Intermediate Clerk, appealing an Order of Suspension and Charges from the Health and Human Services Agency.

Confirmed.

CLASSIFICATION REVIEWS

Complaints

5. **Filipe Agosto**, Engineering Technician III, Department of Public Works, requesting a classification review under Civil Service Rule XII.

RECOMMENDATION: Assign a Hearing Officer

Staff recommendation approved. Commissioner Newman assigned.

6. **David Ortiz**, Engineering Technician III, Department of Public Works, requesting a classification review under Civil Service Rule XII.

RECOMMENDATION: Assign a Hearing Officer

Staff recommendation approved. Commissioner Newman assigned.

(The parties will discuss a consolidated hearing of Agenda Items 5 and 6 prior to scheduling.)

DISCIPLINES

Findings

7. Commissioner Casillas: Julie Buechler, Esq., on behalf of **2006-04** appealing an Order from the Sheriff's Department.

FINDINGS & RECOMMENDATIONS:

The matter of the appeal of 2006-04, from a written Order of Discipline from the Sheriff's Department was presented to the Civil Service Commission. The Commission appointed Commissioner A. Y. Casillas, one of its members, to hear

the appeal and submit findings, conclusions, and recommendations to the Civil Service Commission. Thereafter, the matter was duly noticed and came on for hearing on September 21 and 22, 2006. Based on the Findings and Conclusions submitted to the Commission, Hearing Officer Casillas hereby recommends the following decision: that the Sheriff's Order of Discipline be reversed; that Employee be awarded back pay, benefits and interest minus any wages he received from outside employment; that the Commission read and file this report; and that the proposed decision shall become effective upon the date of approval by the Civil Service Commission.

Motion by Casillas to approve Findings and Recommendations; seconded by Bailey. Carried.

DISCRIMINATION

Complaints

8. **Maurice Grayton,** alleging race, age and disability (Veteran) discrimination by the Department of Human Resources.

RECOMMENDATION: Assign an Investigating Officer and concurrently appoint the Office of Internal Affairs to conduct an investigation and report back.

Staff recommendation approved. Commissioner Bailey assigned.

9. **Donna Goyer,** Administrative Analyst II, alleging retaliation and non-job related factor (sexual orientation) discrimination by the Health and Human Services Agency.

RECOMMENDATION: Assign an Investigating Officer and concurrently appoint the Office of Internal Affairs to conduct an investigation and report back.

Staff recommendation approved. Commissioner Fisher assigned.

SELECTION PROCESS

Findings

10. **Mark Cahill,** appealing the Department of Human Resources' removal of his name from the employment list for Deputy Sheriff Cadet-Detentions/Court Services.

11. **Michelle Ramirez,** appealing the Department of Human Resources' removal of her name from the employment list for Deputy Sheriff Cadet-Detentions/Court Services.

12. **Christine Edwards,** appealing the Department of Human Resources' removal of her name from the employment list for Deputy Sheriff Cadet-Detentions/Court Services.

RECOMMENDATION: Ratify Item Nos. 10 - 12. Appellants have been successful in the appellate process provided by Civil Service Rule 4.2.2.

Item Nos. 10-12 ratified.

OTHER MATTERS

Extension of Temporary Appointments

13. Health and Human Services Agency

1 Residential Care Worker Trainee (Shannon Davis)

6 Residential Care Workers I (Ayan Ali, Sahra Muhumed, Nicol Kotzen, Elvia Escobar, Christina McFarland, Helen Dajero)

RECOMMENDATION: Ratify.

Item No. 13 ratified.

INFORMATION

14. **Alan Landers,** Procurement Contracting Officer, Department of Purchasing and Contracting, withdrawal of Rule VI complaint alleging gender, race, age and non-job-related factor (Vietnam-era Veteran) discrimination by the Department of Purchasing and Contracting. (Commissioner Krauel)

Withdrawn.

15. **Melinda Hawkins,** former Human Resources Analyst, withdrawal of appeal from a Final Order of Removal and Charges from the Department of Human Resources. (Commissioner Bailey)

Withdrawn.

16. Public Input.

ADJOURNED: 2:46 p.m.

NEXT REGULAR MEETING OF THE CIVIL SERVICE COMMISSION:

DECEMBER 6, 2006